

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEREMY SCHUH,

Plaintiff,

v.

Case No. 08-10482

RODNEY POLLARD, WESLEY  
PRATER, DANIEL MINZEY, DAVID  
SCOTT SWARTZ, PATRICK BERGETT,  
RUSS CILIBRAISE, PATRICK A. HUGHES,  
SHEILA BLAKNEY, SERGEANT KUNATH,  
GINA JACOBS, LAURA M. GRAHAM,  
DIANNA COLLINS, and RIBITSCHUN,

HONORABLE AVERN COHN

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff is proceeding pro se and in forma pauperis. The complaint generally avers that defendants violated his constitutional rights in connection with plaintiff being found guilty of a probation violation in 2004. The matter was referred to a magistrate judge for all pretrial proceedings and before whom defendants filed dispositive motions. The magistrate judge issued a report and recommendation (MJRR), recommending that all of defendants' motions be granted and the case dismissed. Plaintiff objected. The Court overruled the objections, adopted the MJRR, granted defendants' motions, and dismissed the case. See Memorandum and Order filed September 15, 2009.

Before the Court is plaintiff's motion for reconsideration. A party seeking reconsideration must show a palpable defect by which the Court has been misled or his

burden of showing that a different disposition must result from a correction thereof. See E.D. Mich. LR 7.1(g)(3). Having carefully reviewed plaintiff's motion, he has failed to show that he is entitled to reconsideration. Plaintiff essentially repeats the arguments considered and rejected by the magistrate judge and the Court in dismissing the case. As to any new arguments, plaintiff fails to convince the Court that it erred in dismissing the case. Accordingly, plaintiff's motion is DENIED.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: October 19, 2009

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was mailed to Jeremy Schuh 456902, Baraga Maximum Correctional Facility, 13924 Wadaga Rd, Baraga, MI 49908-9204 and the attorneys of record on this date, October 19, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager, (313) 234-5160